

REMARKS**Rejection under 35 U.S.C. § 102(e)**

Claims 1 and 24-26 are rejected under 35 U.S.C. § 102(e) as being unpatentable over U.S. Patent No. 6,339,436 to Amro et al. (hereinafter Amro).

It is well settled that to anticipate a claim, the reference must teach every element of the claim. *See* M.P.E.P. § 2131. Moreover, in order for a reference to be anticipatory under 35 U.S.C. § 102 with respect to a claim, "[t]he elements must be arranged as required by the claim." *See* M.P.E.P. § 2131, citing *In re Bond*, 15 U.S.P.Q.2d 1566 (Fed. Cir. 1990). Furthermore, in order for a reference to be anticipatory under 35 U.S.C. § 102 with respect to a claim, "[t]he identical invention must be shown in as complete detail as is contained in the ... claim." *See* M.P.E.P. § 2131, citing *Richardson v. Suzuki Motor Co.*, 9 U.S.P.Q.2d 1913 (Fed. Cir. 1989). Applicant respectfully submits that Amro does not satisfy these requirements.

Claims 1 and 24-26

Claim 1 recites, in part, "code for determining whether a series of user events is unrelated."

Amro discloses a system for providing user-defined dynamic help text functionality. *See* Abstract of Amro. The help text functionality is implemented using a thread that monitors events of an application for "spy events," such as display of a particular screen or the selection of a menu option. Col. 2, lines 42-54. When the monitoring thread detects a single spy event, the thread searches the user-defined help text file for content related to the detected spy event. Col. 2, lines 63-66. If help content is present in the file, the monitoring thread makes the content available to the user. Col. 2, line 66 - col. 3, line 2. The system in Amro also analyzes so-called "user events." When a user event is detected, the user is allowed to edit help text. Col. 2, lines 53-56.

Amro only discloses analyzing individual events in isolation. Amro does not monitor multiple events and determine whether a series of the events is unrelated. For example, Amro discloses that, when the user causes a "start screen" event to occur, corresponding help

text may be presented. Col. 3, lines 36-40. Also, Amro discloses that a corresponding help screen may be provided when an “open file screen” event occurs. Col. 3, lines 61-65.

Accordingly, Amro does not disclose determining whether a series of events is unrelated in the manner recited by claim 1. Claims 24-26 depend from claim 1 and, hence, inherit all limitations of claim 1. Applicant submits that claims 1 and 24-26 are not anticipated by Amro.

Rejections under 35 U.S.C. § 103(a)

Claim 2 is rejected as being unpatentable over Amro.

Claims 3-6, 8-14, 17-18, 27-29, and 30-31 are rejected as being unpatentable over Amro in view of U.S. Patent No. 5,991,756 to Wu (hereinafter Wu).

To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the applied references must teach or suggest all the claim limitations. *See* M.P.E.P. § 2143. Applicant submits that the applied references do not satisfy these criteria.

Claims 2-6

Claims 2-6 depend from claim 1 and, hence, inherit all limitations of claim 1. Claim 1 recites, in part, “code for determining whether a series of user events is unrelated.”

As previously discussed, Amro merely analyzes “spy” and “user” events on an isolated basis. Amro does not monitor multiple events and determine whether a series of the events is unrelated. Furthermore, Wu is related to a search engine that returns documents according to multi-term queries. *See* Abstract of Wu. Because the system disclosed in Wu involves a search engine deployed on a web server, Wu is not concerned with events occurring on the user’s system. Thus, Wu does not teach or suggest monitoring multiple events and determining whether a series of the events is unrelated.

Accordingly, the applied references (either alone or in combination) do not teach or suggest each and every limitation of claims 2-6. Applicant respectfully submit that a prima facie case of obviousness has not been established for claims 2-6.

Claims 8-14 and 27-29

Claims 9-14 and 27-29 depend from claim 8 and, hence, inherit all limitations of claim 8. Claim 8 recites, in part, “determining whether said series of operating system events is unrelated.”

As previously discussed, Amro merely analyzes “spy” and “user” events on an isolated basis. Amro does not monitor multiple events and determine whether a series of the events is unrelated. Furthermore, the search engine operations of Wu do not have any connection to events occurring on the user’s system. Thus, Wu does not teach or suggest the limitations recited by claim 8.

Applicant respectfully submits that the applied references (either alone or in combination) do not teach or suggest each and every limitation of claims 8-14 and 27-29. A prima facie case of obviousness has not been established for these claims.

Claims 17, 18, 30, and 31

Claims 18, 30, and 31 depend from claim 17 and, hence, inherit all limitations of claim 17. Claim 17 recites, in part, “means for determining whether a series of events is a unrelated series.”

As previously discussed, Amro merely analyzes “spy” and “user” events on an isolated basis. Amro does not monitor multiple events and determine whether a series of the events is unrelated. Furthermore, the search engine operations of Wu do not have any connection to events occurring on the user’s system. Thus, Wu does not teach or suggest the limitations recited by claim 17.

Accordingly, the applied references (either alone or in combination) do not teach or suggest each and every limitation of claims 17, 18, 30, and 31. Applicant respectfully submits that a prima facie case of obviousness has not been established for these claims.

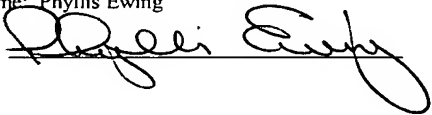
Conclusion

In view of the above amendment, Applicant believes the pending application is in condition for allowance. Applicant believes no fee is due with this response. However, if a fee is due, please charge Deposit Account No. 08-2025, under Order No. 10005386-2 from which the undersigned is authorized to draw.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as Express Mail, Airbill No. EV482738241US in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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